



Commonwealth  
of Massachusetts

***OCPF Online***  
*www.state.ma.us/ocpf*  
**Office of Campaign and Political Finance**  
**One Ashburton Place, Room 411**  
**Boston, MA 02108**

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**Advisory Opinion**

September 23, 1998  
AO-98-20

Senator Robert A. Antonioni  
42 Main Street  
Leominster, MA 01453

Re: Employment of Senate staff members in campaign

Dear Senator Antonioni:

This letter is in response to your September 8, 1998 request for an advisory opinion regarding Senate staff members working for your re-election campaign.

You have stated that you expect one or two Senate staff members may be interested in assisting you in your re-election campaign. You would like to schedule their campaign work to take place on a part-time basis for the six-week period between Primary Day, September 15 and Election Day, November 3. The staff members would work approximately 20 hours per week as paid Senate staff, and work the remainder of the week as volunteers for your re-election campaign. Your political committee would like to provide some payment to the staff members for work provided to your campaign.

**Question**

Is this “time-sharing arrangement” consistent with the campaign finance law?

**Answer**

Yes, if the commonwealth does not pay the employees for the time they spend working for your campaign.

**Discussion**

A political committee organized on behalf of a candidate for State Senate may “expend money or other things of value for the enhancement of the political future of the candidate . . . so long as such expenditure is not primarily for the candidate’s or any other person’s personal use. See M.G.L. c. 55, § 6. Expenditures for campaign staff may be paid “in a reasonable manner solely for work actually done” for the political committee. See 970 CMR 2.05(2)(i) and 2.06(3). The committee should keep detailed accounts and records to document the hours worked and the compensation paid to all campaign

workers. See M.G.L c. 55, §§ 2 and 5.

Senate staff members, like other persons employed by the commonwealth, may work on campaigns in a non-fundraising capacity, on their own time. If their workday schedule can be adjusted so that all campaign work takes place during that portion of the day in which they are not paid by the commonwealth, such an arrangement would be consistent with the campaign finance law. See Anderson v. City of Boston, 376 Mass. 178 (1978). To be consistent with Anderson, the campaign work contemplated in your letter should not take place in your Senate office or otherwise use public resources.

Finally, as you noted, you and your staff should be mindful of the provisions of the campaign finance law which prohibit certain political fundraising activities. See enclosed Campaign Finance Guide "*Public Employees, Public Resources and Political Activity.*"

This opinion is issued solely within the context of the campaign finance law<sup>1</sup> and is provided based on representations in your letter. Please contact us if you have further questions.

Sincerely,

A handwritten signature in black ink, reading "Michael J. Sullivan", followed by a horizontal line.

Michael J. Sullivan  
Director

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<sup>1</sup> Your question may also raise questions under M.G.L. c. 268A, the state conflict-of-interest law. You may wish to contact the Ethics Commission to ensure compliance with that statute. In addition, for guidance regarding any adjustments which may be needed to staff members' accrual of vacation and sick time or other employment benefits, you may wish to contact the appropriate Senate administrative office.